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36538-111703

***ROANOKE CITY COUNCIL
REGULAR SESSION***

***NOVEMBER 17, 2003
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call.

The Invocation was delivered by The Reverend Charles Calloway, Pastor, Maple Street Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, November 20, 2003, at 7:00 p.m., and Saturday, November 22, 2003, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

REGULAR SESSION

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

A resolution recognizing Alphonzo L. Holland, Sr., as the City of Roanoke 2003 Citizen of the Year.

Adopted Resolution No. 36538-111703 (7-0)
File #496-1

Presentation of awards for financial reporting achievements.
File #184

Proclamation declaring November, 2003 as Home Care and Hospice Month.
File #3

3. CONSENT AGENDA

APPROVED (7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the regular meeting of Council held on Monday, October 6, 2003, and recessed until Friday, October 17, 2003; the special meeting held on Wednesday, October 15, 2003; and the regular meeting held on Thursday, October 23, 2003.

RECOMMENDED ACTION: **Dispense with the reading of the minutes and approve as recorded.**

- C-2 A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: **Concur in the request.**
File #110-132

- C-3 A communication from S. James Sikkema, Executive Director, Blue Ridge Behavioral Healthcare, recommending concurrence in the reappointment of John M. Hudgins, Jr., as an at-large member of the Blue Ridge Behavioral Healthcare Board of Directors, for a term ending December 31, 2006.

RECOMMENDED ACTION: **Concur in reappointment.**
File #110-314

- C-4 A communication from Michael F. Urbanski tendering his resignation as a member of the Virginia Western Community College Board.

RECOMMENDED ACTION: **Accept the resignation and receive
and file the communication.**
File #110-467

- C-5 A communication from Brian Shepard tendering his resignation as a member of the Parks and Recreation Advisory Board and the Roanoke Valley Greenway Commission.

RECOMMENDED ACTION: **Accept the resignation and receive
and file the communication.**
File #110-67-379

- C-6 Qualification of the following persons:

Debbie Conner as a member of the Roanoke Civic Center
Commission, for a term ending September 30, 2006;
File #110-192

F. Gordon Hancock as a Director of the Industrial Development Authority of the City of Roanoke, for a term ending October 20, 2006; and
File #110-207

Jon Stephenson as a member of the Architectural Review Board, for a term ending October 1, 2007.
File #110-249

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. Request of College Evangelical Lutheran Church to address Council with regard to installation of a septic system on property located on Manning Road, N. E. Paul R. Dotson, Spokesperson. (Sponsored by Vice-Mayor Harris and Council Member Dowe.)

Mr. Dotson advised that a lot on Manning Road was recently donated to College Evangelical Lutheran Church, the lot contains no sewer system, and the cost to install a sewer system will be in the range of \$50,000.00. He called attention to policy which provides that the City will fund one half of the cost; however, the value of the lot is \$13,500.00 and it would be counter productive for the Church to invest \$25,000.00 in a sewer system; therefore, he requested a special permit to install a septic system on the lot.

The City Manager advised that inasmuch as there are a number of lots in the area (approximately eight) that could be served by a sewer extension, it is recommended that a measure be drafted by the City Attorney for consideration by Council to provide that the City will bear the total cost of the sewer line extension, with costs to be

pro rated against those lots that could be served by the sewer line at approximately \$6,500.00 per lot, which is comparable to the cost of a septic tank installation.

Without objection by Council, the Mayor advised that the matter would be referred to the City Manager for report with regard to including the entire 60-acre water shed.

File #27

6. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFINGS: None.

ITEMS RECOMMENDED FOR ACTION:

1. Adoption of a policy for disposition of City-owned surplus tangible personal property.

Adopted Resolution No. 36539-111703 (7-0)
File #467-472

2. Execution of an agreement with Total Action Against Poverty in Roanoke Valley, Inc., to renovate and equip the Dumas Center for Artistic Development.

Adopted Ordinance No. 36540-111703 (7-0)
File #226

3. Execution of an amendment to the contract with Hayes, Seay, Mattern & Mattern, Inc., in the amount of \$31,212.00, in connection with the Roanoke River Flood Reduction Utility Relocation Project.

Adopted Resolution No. 36541-111703 (7-0)
File #237

4. Recommendation for an amendment to the Zoning Ordinance regarding the regulation of Outpatient Mental Health and Substance Abuse Clinics.

Adopted Resolution No. 36542-111703 initiating, on behalf of the Council, the above referenced amendment to the Zoning Ordinance and establishing a joint public hearing between the City Planning Commission and Council on Monday, December 15, 2003 at 7:00 p.m. (7-0).

File #51

7. REPORTS OF COMMITTEES:

- a. A report of the Legislative Committee transmitting the proposed 2004 Legislative Program. Council Member William D. Bestpitch, Chair.

Adopted Resolution No. 36543-111703 (7-0)

File #110-137

- b. A report from the Roanoke City School Board requesting appropriation and transfer of funds to various school accounts; and a report of the Director of Finance recommending that Council concur in the request. Richard L. Kelley, Assistant Superintendent of Operations, Spokesperson.

Adopted Budget Ordinance No. 36544-111703 (7-0)

File #110-467

- c. A report from the Roanoke City School Board requesting approval of State Literary Fund loan applications for improvements to Westside Elementary School, in the amount of \$3.1 million; and to Fallon Park Elementary School, in the amount of \$1.6 million; and a report of the Director of Finance recommending that Council concur in the requests. Richard L. Kelley, Assistant Superintendent of Operations, Spokesperson.

**Adopted Resolution Nos. 36545-111703, 36546-111703, 36547-111703, and 36548-111703 (7-0)
File #467-329**

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Due to a recent eye injury, Council Member Dowe requested that the husband of Assistant City Manager for Community Development, Rolanda Russell, be remembered in prayer.
File #132**

**Council Member Dowe congratulated and publicly welcomed back to the City of Roanoke former Assistant City Manager, Earl B. Reynolds, Jr., who will assume the position of Deputy Executive Director, Roanoke Redevelopment and Housing Authority effective December 15, 2003.
File #87-178**

Council removed from the table and adopted Ordinance No. 36549-111703 amending the City Code to permit roof signs within the H-1, Historic District, under certain conditions.

File #24-107-51

Council Member Wyatt referred to recent repairs to the sidewalk at 14th Street, S. E. and installation of ground cover which was destroyed by vandals. She requested that the City make the necessary repairs.

File #514

Council Member Wyatt requested that appropriate signage be installed to inform motorists that Campbell Avenue is a two way street, in order to remove a portion of the traffic from Campbell Avenue to Salem Avenue, S. W.

File #20

Council Member Wyatt requested confirmation by the City Manager that Williamson Road will include two lanes of traffic in each direction; whereupon, the City Manager confirmed that there will be a minimum of two lanes of traffic in each direction, with some left turn lanes to facilitate traffic.

File #20

Vice-Mayor Harris commended the staff of the Roanoke Public Library for the Book Fest which was held on November 14 - 15, 2003, and expressed appreciation to the Roanoke Public Library Foundation for sponsoring the event.

File #323

The Mayor called attention to a September, 2003 article in *Womans World*, a national magazine, which alluded to the convenience of Roanoke's airport. He referred to a web site entry by Air Tran inviting subscribers to vote on those locations that they would like to be served by Air Tran. The Mayor encouraged citizens of the Roanoke Valley to respond to the web site address at www.airtran.com/Atlanta and cast their vote for Roanoke, because

the more votes that are received from the Roanoke area, the greater the chance of attracting a discount air carrier to the Roanoke Valley.

File #9

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Mr. John E. Kepley, 2909 Morrison Street, S. E.; Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E.; Mr. Jim Fields, 17 Ridge Crest Road, Hardy, Virginia; and Mr. E. Duane Howard, 508 Walnut Avenue, S. W., spoke with regard to Victory Stadium. Mr. Howard also addressed low morale in the Police Department.

File #122-184-5

12. CITY MANAGER COMMENTS:

The City Manager commended staff of the Roanoke Public Library on the success of the Book Fest, which was held on November 14 - 15, and referred specifically to the young writers group that was recognized during the event.

File #323

The City Manager acknowledged Chuck Grant, an employee of the City's Department of Planning, Building and Development, who was recognized by the Regional Home Builders Association as 2003 Public Employee of the Year.

File #184-80

The City Manager advised that for three consecutive years, the City of Roanoke has been recognized by the Center for Digital Government as the top digital city for cities in the population category of Roanoke. She further advised that the City of Roanoke is the only city in the nation to receive the recognition three consecutive years.

File #80-262

At the request of a Member of Council, the City Manager presented an oral report on the status of plans for the pedestrian walkway from the proposed new stadium to the Roanoke Civic Center parking lot and other aspects of the total stadium project that were not included in the recent bidding process.

File #192

The Mayor declared the meeting in recess for one Closed Session to discuss vacancies on boards and commissions appointed by Council.

The Council meeting reconvened at 5 :15 p.m., in the Council Chamber.

A motion was adopted to convene in Closed Session to discuss a personnel matter with regard to the position of City Treasurer, pursuant to Section 2.2-3711 (A)(1), Code of Virginia, 1950, as amended. (6-0, Council Member Fitzpatrick was out of the Council Chamber when the vote was recorded.)

File #132

Certification of Closed Session (6 - 0, Council Member Wyatt was out of the Council Chamber when the vote was recorded.)

Appointed/reappointed the following persons to boards and commissions:

**Industrial Development Authority
File #110-207**

**Linda Frith for a term ending
October 20, 2007.**

**Advisory Board of Human Services
File #110-72**

**Louis O. Brown for a term
ending November 30, 2007.
(Waived City residency
requirement).**

**Human Services Committee
File #110-72**

**H. Clarke (Duke) Curtis for a
term ending June 30, 2004.**

**Roanoke Arts Commission
File #110-230**

**Terri R. Jones to fill the
unexpired term of Michael
Brennan ending June 30, 2004.
(Waived City residency
requirement).**

**Roanoke Arts Commission
File # 110-230**

**Sandra Brunk for a term
ending June 30, 2006.**

**Virginia Western Community College
Board of Directors
File #110-467**

**William M. Hackworth
to fill the unexpired term of
Michael F. Urbanski, resigned,
ending June 30, 2007.**

**Board of Zoning Appeals
File #110-51**

**Joel M. Richert and
Philip H. Lemon,
for terms ending
December 31, 2006.**

**THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL
7:00 P.M., IN THE CITY COUNCIL CHAMBER.**



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***NOVEMBER 17, 2003
7:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA

Call to Order -- Roll Call.

The Invocation was delivered by Vice-Mayor C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Boy Scout Troop No. 210, South Roanoke United Methodist Church.

Welcome. Mayor Ralph K. Smith.

NOTICE:

The Council meeting will be televised live by RVTv Channel 3 to be replayed on Thursday, November 20, 2003, at 7:00 p.m., and Saturday, November 22, 2003, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

A. PUBLIC HEARINGS:

1. Request of Robert E. Zimmerman that Rorer Avenue, S. W., between 9th and 10th Streets, and two alleys running in a northerly direction from Rorer Avenue, located between parcels bearing Official Tax Nos. 1112102, 1112103, 1112104, 1112107, 1112108, 1112109 and 1112110, be permanently vacated, discontinued and closed. Roy V. Creasy, Attorney.

Denied.
File #514

2. Proposed amendment to Vision 2001-2020, the City's Comprehensive Plan, to include the Harrison-Washington Park Neighborhood Plan. R. Brian Townsend, Agent, City Planning Commission.

Adopted Ordinance No. 36550-111703 (7-0)
File #200-424

3. Proposed conveyance of a 30-foot easement on City-owned property located near Tinker Creek, S. E., Official Tax No. 4321020, to Plantation Pipeline Company, to relocate an existing valve onto City property. Darlene L. Burcham, City Manager.

Adopted Ordinance No. 36551 -111703 (7-0)
File #28-166

B. HEARING OF CITIZENS UPON PUBLIC MATTERS:

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Mr. Chris Craft, 1501 East Gate Avenue, N. E., addressed the following matters:

***Requested that the handicapped ramp in the Council's Parking Lot not be blocked.**

***Requested that a "no U-turn" sign be installed at Williamson Road and Orange Avenue, in the vicinity of Sheets.**

***Requested that the City address traffic congestion at Masons Mill Road and Hollins Road, N. E.**

***Requested more signage alerting motorists of narrow lanes on Orange Avenue where the road changes from three to two lanes.**

***Requested that storm doors, which were previously promised to residents of Lincoln Terrace, be installed.**

File #132-120-178

Mr. Kevin Booze, 1606 Peters Creek Road, N. W., advised that public funds should be spent on programs that benefit the youth of Roanoke and for pay increases for Police Officers, rather than on improvements to Victory Stadium, or construction of a new stadium/amphitheater. He also spoke with regard to the dangers associated with the shooting of deer in the City of Roanoke and encouraged the City to discontinue the sharp shooting program.

File #192-122-5

Mr. John E. Kepley, 2909 Morrison Street, S. E., spoke in support of holding public referenda to enable taxpayers to vote on how the City spends taxpayers' dollars. He expressed concern with regard to the City's debt to fund projects such as the proposed new sports complex and tearing down William Fleming and Patrick Henry High Schools in order to construct new facilities.

File #79-439-467-259-192

Mr. Robert E. Gravely, 729 Loudon Avenue, N. W., addressed issues with regard to the methadone clinic on Hershberger Road, the need for more jobs for citizens of northwest Roanoke, low wages for City employees, low morale in the Police Department, and increases in water and sewage treatment rates.

File #51-72-184-5-468

Mr. Jim Fields, 17 Ridge Crest Road, Hardy, Virginia, spoke in support of renovating Victory Stadium.

File #122

The following persons addressed Council in opposition to the location of a methadone clinic at 3208 Hershberger Road, N. W.:

Ms. Joylette Stokes, 1523 Main Street, S. W.

Ms. Peggy Sue Tolliver, 1460 Fresno Street, N. W.

Ms. Sonya Smith, Westwind Apartments

Mr. Arlene Small, 5321 Deer Park Drive (Roanoke County)

Ms. Anita Price, 3101 Willow Road, N. W., representing the Roanoke Education Association

Ms. Della Millner, 3084 Swarthmore Avenue, N. W.

Mr. Lin Johnson, 5904 Wayburn Drive, N. W.

Ms. Glendora Goode, 3724 Troutland Avenue, N. W.

Ms. Minnie Stamps, 4223 Holmes Street, N. W.

Ms. Pernella Wilson, 3045 Willow Road, N. W., representing the Southern Christian Leadership Conference

Ms. Gloria Dowe, 3702 High Acres Road, N. W.

File #51-72

THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL WEDNESDAY, NOVEMBER 19, 2003, AT 9:30 A.M., IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., FOR A JOINT MEETING OF ROANOKE CITY COUNCIL AND THE ROANOKE COUNTY BOARD OF SUPERVISORS, TO CONTINUE DISCUSSIONS REGARDING THE PROPOSED WESTERN VIRGINIA WATER AUTHORITY.